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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,042	03/20/2001	Kevin E. Crawford	END920000058US1(13761)	3522
Richard L. Catania, Esq. Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, NY 11530				
EXAMINER				
PAULA, CESAR B				
ART UNIT		PAPER NUMBER		
2178				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/814,042

Applicant(s)

CRAWFORD ET AL.

Examiner

CESAR B. PAULA

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 6, 11 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6, 11, and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the RCE amendment filed on 1/6/2009.

This action is made Non-Final.

2. In the amendment, claims 1, and 6, 11, and 19-21 are pending in the case. Claims 1, 6, and 11 are independent claims.

Drawings

3. The drawings filed on 3/20/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 112

4. The rejection of claims 1, 6, 11, and 19-21 rejected under 35 U.S.C. 112, second paragraph, has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 6, and 11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Richards(USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000), in view of Dowling et al (USPat.# 5895463, 4/20/1999).

Regarding independent claim 1, Richards discloses *a client browser for downloading of a web page(s) from a proxy system or server. The web page contains Javascript, Vbscripts, applets, etc—storing information in a scripted language format* (0016, 0091-0110, fig.2).

Moreover, Richards teaches the elimination of applets, Java Scripts, VBScripts, etc in accordance to a device specifications or constraints --*identifying logic blocks in the requested web content file that are unused, and removing the identified, unused logic blocks from the requested web-content file; removing pre-identified subject matter in said scripted language; the unused logic blocks are functions that are in the requested file but not used* (0026-0028, 0092-0108). In other words, the scripts or information that is predetermined not to be needed or used by the client browser, is removed from the document.

Further, Richards teaches the mapping of Java Scripts, and Vbscripts in a web page to hyperlinks, analyzing and eliminating all duplicate references to a hyperlink. The code to the scripts is removed from the file and placed on another system-- *shortening recurring identifiers within the file, wherein said identifiers are not part of a tagged language; and* (0016, 0123(7-9)).

Furthermore, Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer*

the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser. Richards fails to explicitly teach identifying logic blocks that are duplicated within multiple web-content files, including the requested web-content file, consolidating the identified, duplicated logic blocks in the requested file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the requested web-content file, and replacing the identified, duplicated functions in the requested file with a reference to a single function in a library; shortening recurring identifiers including the step of reducing selected ones of the recurring identifiers to one character. However, it would have been obvious to consolidate the duplicated blocks in multiple individual files in a network website, because of all the reasons found in Richards including reducing bandwidth and effectively utilizing resources between systems(0011, 0010, 0014).

In addition, Dowling teaches the shortening of words containing multiple characters, such as "able, etc", to a single character represented by a single character, such as '1'(col.5, lines 12-50, fig.1). It would have been obvious to combine Richards, and Dowling, because of all the reasons found in Dowling, who teaches enabling a user to retrieve data in less time (col.1, lines 12-17, 43-52).

Claim 6 is directed towards a computer system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 11 is directed towards a program storage device for storing the steps found in claim 1, and therefore is similarly rejected.

7. Claim 1, 6, and 11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Richards(USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000), in view of Nakajima et al (USPat.# 7054953, 5/30/2006, filed on 11/7/2000).

Regarding independent claim 1, Richards discloses *a client browser for downloading of a web page(s) from a proxy system or server. The web page contains Javascript, Vbscripts, applets, etc—storing information in a scripted language format* (0016, 0091-0110, fig.2).

Moreover, Richards teaches the elimination of applets, Java Scripts, VBscripts, etc in accordance to a device specifications or constraints --*identifying logic blocks in the web content file that are unused, and removing the identified, unused logic blocks from the web-content file; removing pre-identified subject matter in said scripted language; the unused logic blocks are functions that are in the requested file but not used* (0026-0028, 0092-0108). In other words, the scripts or information that is predetermined not to be needed or used by the client browser, is removed from the document.

Further, Richards teaches the mapping of Java Scripts, and Vbscripts in a web page to hyperlinks, analyzing and eliminating all duplicate references to a hyperlink. The code to the scripts is removed from the file and placed on another system-- *identifying logic blocks that are duplicated on the web-content file, consolidating the identified, duplicated logic blocks in the file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the web-content file, and replacing the identified,*

duplicated functions in the file with a reference to a single function in a library; shortening recurring identifiers within the file, wherein said identifiers are not part of a tagged language; and (0016, 0123(7-9)).

Furthermore, Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser.* Richards fails to explicitly teach *shortening recurring identifiers including the step of reducing selected ones of the recurring identifiers to one character; identifying logic blocks that are duplicated within multiple web-content files, including the requested web-content file, consolidating the identified, duplicated logic blocks in the requested file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the requested web-content file, and replacing the identified, duplicated functions in the requested file with a reference to a single function in a library; shortening recurring identifiers including the step of reducing selected ones of the recurring identifiers to one character.* However, it would have been obvious to consolidate the duplicated blocks found in multiple individual files in a network website, because of all the reasons found in Richards including reducing bandwidth and effectively utilizing resources between systems(0011, 0010, 0014).

However, Nakajima teaches the shortening of words or data structures containing multiple characters, such as "Title, etc", to a single character represented by a single character,

such as '8' based on the frequency of the word (col.4, lines 23-28, 57-col.6, line 46, col.7, lines 19-27, fig.4c). It would have been obvious to combine Richards, and Nakajima, because of all the reasons found in Nakajima, who teaches increasing the efficiency with which data structures are transmitted (col.1, lines 12-17, 43-52).

Claim 6 is directed towards a computer system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 11 is directed towards a program storage device for storing the steps found in claim 1, and therefore is similarly rejected.

8. Claims 19-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Dowling, and further in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000).

Regarding claim 19, which depends on claim 1, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, Peiffer and Dowling, because of

all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Regarding claim 20, which depends on claim 6, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, and Peiffer, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Claim 21 is directed towards a device for storing the steps found in claim 20, and therefore is similarly rejected.

9. Claims 19-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Nakajima, and further in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000).

Regarding claim 19, which depends on claim 1, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags,

etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016).

Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, Peiffer and Nakajima, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Regarding claim 20, which depends on claim 6, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file. (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, and Peiffer, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Claim 21 is directed towards a device for storing the steps found in claim 20, and therefore is similarly rejected.

Response to Arguments

Applicant's arguments with respect to claims 1, and 6, 11, and 19-21 have been considered but are not persuasive. The Applicant mentions that the references of record do not teach or suggest taking into consideration not only the currently requested web file that is being reduced, but also other web files that share logic blocks with the requested file (page 10). The Examiner disagrees, because Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser.* Richards fails to explicitly teach the identification of the logic blocks in multiple files. However, it would have been obvious to consolidate the duplicated blocks in multiple individual files in a network website, because of all the reasons found in Richards including reducing bandwidth and effectively utilizing resources between systems(0011, 0010, 0014).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., 'Applicants respectfully disagree because the above-discussed feature of the present invention requires looking at multiple web content files to determine what to consolidate in the currently requested file.', page 11, parag.2) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Examiner disagrees with the categorization of the claim limitation since the limitation states: 'identifying logic blocks that are duplicated within multiple web-content files, including the requested web-content file, consolidating the identified, duplicated logic blocks in the requested file into one entity in the reduced size file' (claim 1, parag.5). This language does not recite that the feature requires looking at multiple web content files to determine what to consolidate in the currently requested file, as purported by Applicant.

Claims 1, 6, and 11, and their respective dependent claims stand rejected at least based on the analysis laid down above.

Conclusion

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 or 571 272-1000 (USA or Canada).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

- **(571)-273-8300** (for **all** Formal communications intended for entry)

/CESAR B PAULA/ Primary Examiner, Art Unit 2178
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3/24/2009